

## SECTION 5 - PERFORMANCE REQUIREMENTS

### ITEM 5-1 TRANSIT TIME.

A. This provision applies to all agencies as identified in Item 1-2.A and Item 1-3 and the General Services Administration (GSA) Distribution Centers, GSA Customer Supply Centers, GSA Forward Supply Points, and direct deliveries from the National Industries For The Blind (NIB), National Industries For The Severely Handicapped (NISH).

All minimum charge (MC), less than truckload (LTL), and truckload (TL) shipments.

#### (1) DELIVERY TIME.

(a) Carriers shall be required to deliver all shipments within the following time standards:

<u>DISTANCE</u> <u>KILOMETERS (HIGHWAY MILES) FROM AGENCY</u> <u>SHIPPING FACILITY</u>		<u>REQUIRED</u> <u>DELIVERY</u> <u>SERVICE</u>
<u>FROM</u>	<u>TO</u>	
1.61 kilometers (1 mile)	482.79 kilometers (300 miles)	2 DAYS
484.40 kilometers (301 miles)	804.65 kilometers (500 miles)	3 DAYS
806.26 kilometers (501 miles)	1,609.3 kilometers (1,000 miles)	4 DAYS
1,610.91 kilometers (1,001 miles)	2,413.95 kilometers (1,500 miles)	5 DAYS

<u>DISTANCE</u> <u>KILOMETERS (HIGHWAY MILES) FROM AGENCY</u> <u>SHIPPING FACILITY</u>		<u>REQUIRED</u> <u>DELIVERY</u> <u>SERVICE</u>
<u>FROM</u>	<u>TO</u>	
2,415.56 kilometers (1,501 miles)	3,218.6 kilometers (2,000 miles)	7 DAYS
3,220.2 kilometers (2,001 miles)	and over	9 DAYS

#### (2) METHOD OF MEASURING TRANSIT TIME.

##### (a) START OF TRANSIT TIME.

(i) MINIMUM CHARGE (MC) AND LESS THAN TRUCKLOAD (LTL)

SHIPMENTS:

Transit time begins the next business day after the shipment is signed for by the originating carrier and ends at the time the shipment is delivered (or made available for delivery) to the receiving activity (destination).

(ii) TRUCKLOAD (TL) SHIPMENTS:

Transit time begins the same business day the shipment is signed for by the originating carrier and ends at the time the shipment is delivered (or made available for delivery) to the receiving activity (destination). In instances where a shipment is signed for by the originating carrier on a Saturday, Sunday, or holiday the transit time will not begin until the NEXT BUSINESS DAY.

(b) COMPUTATION OF TRANSIT TIME.

(i) Transit time for Minimum Charge (MC), Less Than Truckload (LTL), and Truckload (TL) shipments is measured in business days, excluding Saturday, Sunday, and holidays as set forth in ITEM 30 Definition Of Terms, (2) Legal Holidays in the GSA National Rules Tender No. 100-D herein.

(ii) Unless the agency or the customer requests and authorizes delivery on Saturdays, Sundays, or holidays (as set forth in ITEM 30 Definition Of Terms, (2) Legal Holidays in the GSA National Rules Tender No. 100-D herein), carriers shall not be required to deliver shipments on these days. Carriers shall not be penalized if they refuse to voluntarily make Saturday, Sunday, or holiday delivery.

B. GENERAL SERVICES ADMINISTRATION (GSA) ROUTED SHIPMENTS TO ALASKA AND HAWAII,

*All minimum charge (MC), less than truckload (LTL), and truckload (TL) shipments.*

(1) DELIVERY TIME.

(a) Carriers shall be required to deliver all shipments within the following time standards:

(i) Are computed from the port of embarkation (POE) named by GSA.

(ii) For shipments destined to Hawaii, the POE can either be Oakland, CA or Los Angeles, CA.

(A) Carriers shall deliver GSA routed shipments from one of the specified West Coast Ports to all customer locations in Hawaii within 8 calendar days.

(iii) For shipments destined to Alaska, the POE is Seattle, WA.

(A) Carriers shall deliver all GSA routed shipments from Seattle, WA to all customer locations in Anchorage, AK within 7 calendar days.

(B) Carriers shall deliver all GSA routed shipments from Seattle, WA to all customers in Alaska locations other than Anchorage, AK within 12 calendar days.

(2) METHOD OF MEASURING TRANSIT TIME.

(a) START OF TRANSIT TIME.

(i) minimum charge (MC), less than truckload (LTL), and truckload (TL) shipments:

Transit time begins from the POE scheduled sailing date and ends at the time the shipment is delivered (or made available for delivery) to the receiving activity (destination).

(b) COMPUTATION OF TRANSIT TIME.

(i) Transit time is measured in calendar days, including Saturday, Sunday, and holidays as set forth in ITEM 30 Definition Of Terms, (2) Legal Holidays in the GSA National Rules Tender No. 100-D herein.

(ii) Unless the agency or the customer requests and authorizes delivery on Saturdays, Sundays, or holidays (as set forth in ITEM 30 Definition Of Terms, (2) Legal Holidays in the GSA National Rules Tender No. 100-D herein), carriers shall not be required to deliver shipments on these days. Carriers shall not be penalized if they refuse to voluntarily make Saturday, Sunday, or holiday delivery.

ITEM 5-2 PICKUP.

A. GENERAL: Carrier pickup service shall include arriving on time for pickup, and with the type and quantity of equipment ordered by the shipper. The shipper may inspect the carrier's equipment upon arrival and, if determined unsuitable for freight loading, reject the equipment.

B. ORDERING EQUIPMENT: When ordering equipment or requesting a pickup date, carriers will receive advance notice. Unless an abnormal amount or type of equipment is requested, carriers will be notified in the afternoon prior to the day the equipment is needed. However, in some circumstances, carriers may be required to perform same day pickup service. Carriers will not be penalized if they are unable to provide this "special" same day pickup service.

C. METHOD OF MEASUREMENT: Pickup service will be measured using agency shipping facility dispatcher records indicating the requested time and date of pickup and carrier sign-in registers indicating carrier date and time of arrival. Unless a carrier requested and received, from the agency shipping facility ordering official, permission to delay the pickup date or time, measurement of efficient pickup service will be based only on the agency shipping facility dispatch records.

ITEM 5-3 LOSS OR DAMAGE.

A. GENERAL: Loss or damage claims attributable to the carrier's performance must be acknowledged and settled in accordance with the provisions of 49 CFR part 1005.

B. METHOD OF MEASUREMENT: In all instances, loss or damage claim settlements will be applied to the ORIGIN carrier performance of service using reports, records, and history files compiled by the agency. These reports, records, and history files will include for each participating carrier, the number of shipments it handled as well as the number of claims settled against it.

C. AGGREGATION OF CLAIMS: A participating agency may aggregate claims to be filed against an individual carrier into a single filing. Such an aggregate filing will be construed as an individual filing of each claim and the participating agency will indicate on the aggregate filing the individual claimed amount, together with supporting documentation, for each included claim. The carrier against which an aggregate filing is made shall settle each claim as if it were filed independently. In order for a participating agency to take advantage of this Item 5-3.C, the

participating agency must notify the carrier in writing of its intent to utilize the provisions of this Item 5-3.C.

**ITEM 5-4 UNUSUAL INCIDENTS:** Except for shipments originated with GSA, carriers shall attempt to provide a report in writing to the GBL issuing officer any event of major significance which produces substantial loss, damage, or delay to a shipment(s) such as theft or seizure of cargo, strikes, embargoes, fires, or other similar incidents, not later than the first working day after such incident.

For shipments originated by GSA, carriers shall attempt to report the required information not later than the first working day after such incident to the consignor and the GSA National Customer Service Center (6FR) (NCSC), 1500 East Bannister Road, Kansas City, MO 64131-3088 (1-800-488-3111) (FAX 816-926-6952).

The initial written report shall include the following information and be followed up by a detailed written assessment of the loss or damage, and delays encountered and final disposition of the property:

- A. Type of incident;
- B. Location of incident;
- C. Description of any hazardous cargo;
- D. GBL Number and date issued;
- E. GBL issuing office;
- F. Origin;
- G. Destination;
- H. Date shipment received by carrier;
- I. If applicable, required delivery date;
- J. Date and time of incident;
- K. Estimated amount of loss and extent of damage;
- L. Current status of shipment(s), including new estimated time of arrival (ETA); and
- M. Location of shipment(s), if applicable.

**ITEM 5-5 ALL OTHERS:** This category includes the evaluation of all other services that carriers may be requested to provide, such as the ability to provide accessorial and special services as required, documented customer complaint(s), adherence in observing Federal, State, local, and agency shipping facility regulations, and unwarranted refusal of shipments. (Selective acceptance of shipments is prohibited.)

**ITEM 5-6 OTHER ELEMENTS:** All other service elements requiring carrier response and action due to a deficiency in performance must be responded to by the carrier within 10 days of receipt of an agency notice of such a deficiency. The carrier response must include a plan to correct the deficiency. The elements of service described herein generally refer to specific operational factors affecting the timely, efficient and cost-effective movement of agency freight. There are, however, other elements which will be considered in determining the overall

performance of a carrier and the ability and fitness of a carrier to provide service to agencies. These elements are of such importance that one violation will render subject carrier to possible placement in temporary nonuse status.

These elements include, but are not limited to:

- A. Willful violations of tenders or tariffs;
- B. Failure to pay just debts so as to subject Government shipments to possible frustration, unlawful seizure, or detention;
- C. Failure to maintain proper insurance coverage;
- D. Operating without legal authority; and
- E. Failure to have in its possession a current copy of the DOT Emergency Response Guidebook when picking up or transporting a shipment of hazardous material.

ITEM 5-7 REQUEST FOR A WAIVER OF REQUIREMENTS OF THE TOS OR GBL.

A. WHEN GRANTED AND BY WHOM: The GBL Issuing Officer, the agency shipping facility Traffic Manager or the agency servicing office representative, for an individual shipment, may waive one or more of the requirements in this TOS or of the GBL in whole or in part because of the incompatibility of such requirements with the prevailing circumstances. An affected carrier may submit the waiver request verbally to the GBL issuing officer; however, the request must be confirmed in writing by the carrier to the GBL issuing officer within one day of the initial request.

B. CONFIRMATION OF WAIVER: If the GBL issuing officer or designee determines that a waiver is justified, he/she will issue a waiver in writing, by amending the GBL and distributing copies of the amendment, including a copy to the carrier, within 48 hours after receiving the carrier's request.

ITEM 5-8 ASTRAY FREIGHT: In the event that freight is separated from the carrier's freight bill or bill of lading, the following procedures will apply:

A. When the carrier is able to determine the consignee, either from the markings on the freight or from the shipping documentation affixed to or contained within the freight, the carrier will promptly deliver the freight to the consignee.

B. When the consignee cannot be determined from the markings on the freight or shipping documents, but the carrier is able to determine that the property belongs to a specific Government agency, then the carrier will contact the nearest installation of that agency for disposition instructions.

For GSA originated shipments, the carrier shall contact the GSA National Customer Service Center (6FR) (NCSC), 1500 East Bannister Road, Kansas City, MO 64131-3088 (1-800-488-3111) (FAX 816-926-6952) for disposition instructions.

C. When specific agency ownership cannot be determined for astray freight which is identifiable Government property, the carrier will contact the nearest Government installation for disposition instructions